

**CITY COUNCIL MINUTES**  
**February 27, 2013**

The Honorable Council of the City of Evansville met on special session at 5:30 p.m. on Wednesday, February 27, 2013 in the City Council Chambers, Room 301 Civic Center Complex, Evansville, Indiana, with President Connie Robinson presiding. The following business was conducted.

**These minutes are not intended to be a verbatim transcript. Audiotapes of this meeting are on file in the City Clerk's Office.**

**ROLL CALL:**

**Present:** McGinn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, Adams, O'Daniel, Weaver, Robinson.

There being nine (9) members present and zero (0) members absent and nine (9) members representing a quorum, I hereby declare this session of the Common Council officially open.

**PLEDGE OF ALLEGIANCE**

This evening the pledge of allegiance will be led by Councilman Weaver.

**President Robinson:** Fellow Councilmen and those in the audience, welcome to the February 27, 2013 special meeting of the Common Council.

**TEEN ADVISORY COMMITTEE**

**President Robinson:** I think they all left.

**COUNCIL ATTORNEY**

Scott Danks is the City Council Attorney.

**SERGEANT AT ARMS**

Our Sergeant at Arms is Officer Corbin and you have plenty more officers with you tonight.

**REPORTS AND COMMUNICATIONS**

**ON YOUR DESK THIS EVENING:**

- \*City Council Special Meeting Agenda for February 27, 2013
- \*Ordinance G-2013-3 as Amended.
- \*Comparative Document Outlining the Differences in G-2013-3 and G-2013-3 as Amended.

**President Robinson:** Do I have a motion to receive, file and make these reports and communications a part of the minutes of the meeting?

Councilwoman Brinkerhoff-Riley moved and Councilman Weaver seconded the motion to receive, file and make these reports and communications a part of the minutes of the meeting. Voice vote. So ordered.

**CONSENT AGENDA**

**SECOND READING OF ORDINANCES OR RESOLUTIONS**

**ORDINANCE G-2013-3 as Amended A.S.D**

**BRINKERHOFF-RILEY**

An Ordinance providing for registration of residential rental buildings in the City of Evansville, Indiana

## **COMMITTEE REPORTS:**

### **A.S.D. COMMITTEE:**

### **CHAIRWOMAN RILEY**

**Councilwoman Riley:** Madam President, your A.S.D. Committee met this evening to hear Ordinance G-2013-3 as Amended, that is the second amendment, and it comes forward with a do-pass recommendation.

**President Robinson:** Thank you. Can I have a motion to accept the Committee Report and move this Ordinance to Third Reading?

Councilwoman Mosby moved and Councilman Lindsey seconded the motion to adopt the Committee Reports and move this Ordinance to Third Reading, which is final reading. Voice vote. So ordered.

## **REGULAR AGENDA**

### **THIRD READING OF ORDINANCES AND RESOLUTIONS**

#### **ORDINANCE G-2013-3 as Amended A.S.D.**

#### **BRINKERHOFF-RILEY**

An Ordinance providing for registration of residential rental buildings in the City of Evansville, Indiana

**President Robinson:** Is there a motion to adopt Ordinance G-2013-3 as amended and call the roll?

Councilwoman Mosby moved and Councilman Weaver seconded the motion to adopt Ordinance G-2013-3 as Amended and call the roll.

**Councilman Friend:** Madam President, may I ask one thing? One thing did come to my attention during the break. We are not really registering the buildings because a person...I could own a thousand of them...you're...we're going to be registering; we're going to be asking for registration of residential owners of buildings. The way the ordinance is read is saying that we got to register every single piece of property...

**Councilman Adams:** You have to identify that property.

**Councilman Friend:** Well I understand but (Inaudible) bring some clarity that we don't have...some language problems. I mean it was brought up during the break. It's why I'm asking. I may be wrong about this. I'm going to call on my legal colleagues on the Council.

**Councilman O'Daniel:** 8.400.05 (A3) is the address of each residential building owned by the owner named in the application and the number of dwelling units.

**Councilman Friend:** Just asking.

**Councilman O'Daniel:** So I think that is self-explanatory.

**Councilman Friend:** Yeah, that's fine. I'm just asking a question.

**President Robinson:** Okay

**Councilman Friend:** Great. My bad, I'm sorry.

**Councilman Lindsey:** Keep to the numbers.

**Councilman Friend:** Keep to the numbers. Thank you.

**President Robinson:** Can I call the roll now?

**COMMENTS MADE BY COUNCIL MEMBERS BEFORE CASTING THEIR VOTES:**

**Councilman McGinn:** Yeah, let me...I'll be brief but yes, I vote aye for this thing but the CPO officers, the chief, I mean they told me a long time ago on this thing that if they had this database they would be able to do a better job. You know, they wanted this tool from us and I believed them from day one. Then when I got into the research and understood about the program, you know, and I saw that it's successful, I've been in favor of these at all times.

I didn't realize there was going to be that much objection to it. To me it was pretty much innocuous. But again we all have the same goal in mind and the realtor groups and all that are here, I'm just thrilled to death...the back and forth that's going on here and found language that everybody agrees on, and it still gives us the exact result we wanted which is an up-to-date database, another tool for these...for our men and women in blue.

The reason that is important to me and the reason I'm happy it happened is this entire program was based on cooperation and working together. Nothing is mandatory and so the fact that we've started this off with an agreement, it makes me believe it's going to be much more successful than I had anticipated so I thank everybody for their work and their cooperation and I hardily vote aye. Thanks.

**Councilwoman Mosby:** I think everybody knows where I stand on this issue. Being the voice of the people, for my constituents, I vote aye.

**Councilwoman Brinkerhoff-Riley:** I really...the last four days have been a whirlwind of communication between the different stakeholders in this ordinance. I cannot thank enough Mr. Ziemer for putting this together initially and then allowing it to take on a life of its own as was required by the different stakeholders that took a look at it and asked for change. I'm indebted to the EPD for their feedback and their willingness to adjust the ordinance that...as long...it still accomplishes their goal. Mr. Wilhite, Mr. Martin, Mr. Fetter, you guys did a fantastic job of helping us come put together an ordinance that really has very little objection at this point, which I think is the key to people following it. And so I'm thrilled at the result, it's been a long day and I vote aye.

**Councilman Friend:** Yes, I want to say that when I walked into the chambers this evening with the original amendment, I mean before we got into the amendments of the amendments, I was really against the ordinance and the fact that I don't like mandates. I don't want our government to keep intruding in our lives on a day-to-day basis. I really want to try to stop as much of that as we possibly can. But I do know from time to time a government has to step forward and try to...hopefully a better quality of life for our citizens.

And with all that said and knowing that I know our police need all the help they can get, they really can, and I feel that this may...I don't think this is going to affect investments...that we go forward with this

but we must be mindful of the fact that government can, over time, become very intrusive in our lives so...but with all this, with this amendment, I, and I know the importance of our neighborhoods. I really do so I will say aye.

**Councilman Lindsey:** Yes, I was with John when I came in tonight. I had...I was definitely dead set against this ordinance as it was presented originally, and you know, I think government is intrusive enough. When I came in I thought there was nothing that could be said or done that would change my mind but...and I've talked to a lot of people and I want the police to be successful. I work with them every day; they're good people, there's definitely no undertones here but you know, I'm a tough guy to change and Dan's always saying that I throw hand grenades and that's just the way I do things. But I put my emotions out there and I let people know what I think. There is never a doubt what's going through my mind because I speak what I think but I think this is a good thing. I'm glad that see that Jeff and everybody is with it.

I think it's a, you know, it's a thing that needs to be done. If we can help the police, I think this is good and I vote yes.

**Councilman Adams:** I just want to compliment everybody in this room. I've really been impressed with the...this has been a two-month progress and it has gotten faster and faster over the last four days and it's been a marvelous thing to see how government works. I just think this is a great idea. This is an incremental step. It's just the first step of trying to make our city safer and we've got to have these men and women that work so hard out there, that really try to make our whole area safe, we've got to give them the tools to do it and this is the first step to do so. So obviously, I vote aye.

**Councilman O'Daniel:** I think those guys all know that...those guys, the police officers...I was...I've been very skeptical of this all along, I just have. I think that I wanted to see a comprehensive thing. I know there is going to be something coming and the time crunch, you know, wasn't their fault or really anybody in this room's fault. But on Friday when I got the email about 4:30 that, "Oh by the way, we are going to have an ordinance that is going to be voted on. We are going to suspend the rules as of Monday". I got on the phone, I called Stephanie, and I said no we're not. I said it takes nine and I'm not going to suspend the rules to run something through that I don't feel completely comfortable with. And I'm glad that we did that because ultimately over those four days or five days, we've run through a number of amendments. People have gotten together and we found the middle ground which is really so important here. We accomplished the goals of the police officers by finding out who owns what, how we can get ahold of them but we do so in a way that is not overbearing on...government overbearing. These individuals that are trying to invest and largely trying to make our community better...but there are those bad apples and that's the ones that we need to find out. So I'm thrilled that everybody came forth today and showed their support. I'm glad that middle ground has been found between police...Ted did a wonderful job, if he is still here, in getting all these amendments done. I know Jeff has worked quite a bit. I've talked to Monte, Steve, and many of the Council members so I'm happy we are able to do this. Again, it is one tool. It is going to try to alleviate some of the problems in our community. It's...don't get me wrong, it's not going to fix everything but hopefully it's a step in the right direction. And for that reason, I vote aye.

**Councilman Weaver:** Prior to 5:25 p.m. I was a little frustrated. Just as Mr. Woodall said, we all have the same goal. We all want to be crime-free city and just weren't on the same train or whatever, how-

ever you phrase it...had the same ticket to go to the same destination. But after listening to everybody I feel more comfortable with where we are going. I appreciate all the phone calls, all the strong opinions I've received over the last couple of days from both sides so I vote yes.

**President Robinson:** Someone asked why I was so quiet today...was because Stephanie and I started talking about 2:00 and we didn't stop until after 4:30 (*Inaudible*) to 5:00 to get here, working with Mr. Wilhite, trying to find the ordinance that we thought the Council members would all vote for. And I think we were successful in doing that tonight. You know, I apologize Jonathan. You said you didn't get it until this afternoon. When you're trying to communicate, you have a fulltime job, and you're trying to work on this...this ordinance was initially brought to us by Councilwoman Mosby. I appreciate all the help that you gave us. And then we were concerned about were we going to have enough votes to pass. Stephanie called me. We worked on it this afternoon. Scott was right there for us, Mr. Wilhite was there, Ted Ziemer was there, and I appreciate that. And because of that we have an ordinance that's going to come to you...that came to you tonight and it's going to be approved with nine votes so therefore I say aye.

(Applause)

#### **ROLL CALL**

**Ayes:** McGinn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, Adams, O'Daniel, Weaver, Robinson

**President Robinson:** There being nine (9) Ayes and zero (0) Nays, Ordinance G-2013-3 as Amended hereby declared adopted.

We've got to do our little Miscellaneous Business. Okay, we have to sign.

#### **MISCELLANEOUS BUSINESS**

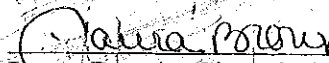
There will not be a City Council Meeting next Monday, March 4, 2013.


#### **ADJOURNMENT**

**President Robinson:** Is there a motion for adjournment?

Councilman Adams moved and Councilwoman Mosby seconded the motion to adjourn. Voice vote. So ordered.

Meeting adjourned at 7:41 p.m.

  
\_\_\_\_\_  
Laura Brown, City Clerk

  
\_\_\_\_\_  
Constance Robinson, President